

Remarks

Reconsideration of the application is respectfully requested.

Claims 1-10 are pending in the application, with claims 1, 3, and 9 being the independent claims. Claims 3-7 have been withdrawn from consideration. Claims 8-10 are added.

The Office Action, on pages 2-3, rejects claims 1 and 2 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,598,023 to Drummond et al. Applicant respectfully traverses this rejection.

The present invention relates to an automatic transaction system in which an automatic transaction apparatus executes Web-based applications. Referring to Figure 1, for example, the automatic transaction system may include an automatic transaction apparatus 1 that is connected to a Web server 2. Web server 2 may store an application (AP) program 2a. A local AP program 7 may be installed in the automatic transaction apparatus 1, for example, that is capable of executing the same functions as those available by the AP program 2a. The local AP program 7 can execute in the place of AP program 2a in the event of a failure in the Web browser 3, for example.

The Office Action asserts that Drummond teaches the invention substantially as claimed. The Office action correctly acknowledges, however, that Drummond does not explicitly teach an application resident in the automatic transaction apparatus for realizing transactions identical to transactions executed by the application downloaded from the Web server, wherein the automatic transaction apparatus switches to the resident application to make a transaction when the application cannot be downloaded from the Web Server. The Office Action concludes that it would have been obvious to modify the system of Drummond

to access a locally stored version of an applet when the normal remote server for that applet is unavailable based on logical reasoning.

Amended claim 1 recites an automatic transaction apparatus comprising an application resident therein for realizing transactions identical to the transactions executed by the application downloaded. Claim 1 further recites that the automatic transaction apparatus runs said application resident therein continuously and switches to said resident application to make a transaction using information saved upon execution of the transaction by the downloaded application when the application cannot be downloaded from said Web server. Applicant respectfully submits that amended claim 1 is patentable over Drummond because Drummond does not teach or suggest all of the recitations in amended claim 1.

Referring to Figure 2, Drummond teaches an automated banking machine 12 including a computer 34 that is connected to a plurality of function devices 36. Computer 34 includes JAVA environment software 80 that enables computer 34 to execute instructions in JAVA script. The instructions that are executed by the computer 80 in JAVA script are preferably embedded JAVA script commands that are included in HTML documents that are received through browser 76. See Drummond, col. 7, line 5 to col. 8, line 55. In an alternative embodiment, Drummond teaches that an alternative address for these HTML documents can be local to the machine. See Drummond, col. 26, lines 40-41.

Drummond does not teach or suggest that the automatic transaction apparatus continuously runs an application resident therein. As described above, Drummond teaches that instructions that are executed by the computer 80 in JAVA script (i.e., applets) are preferably embedded JAVA script commands that are included in HTML documents that are received through browser 76. As will be understood by a person having ordinary skill in the

art, an applet is a program designed to be executed from within another application. Web browsers, which are often equipped with Java virtual machines, can interpret applets from Web servers, once they have been downloaded. Claim 1 recites that the automatic transaction apparatus runs said application resident therein continuously. Such an application is not an applet, as is asserted by the Office Action. Consequently, Drummond in no way teaches or suggests an automatic transaction apparatus continuously runs said application resident therein. Hence, claim 1 is allowable over Drummond because Drummond does not teach or suggest all of the recitations of claim 1.

Claims 2 and 8 depends from claim 1 and are allowable as being dependent from an allowable claim.

New claim 9 recites an automatic transmission apparatus comprising an application resident therein to execute non-Web-based transactions identical to the Web-based transactions executed by the Web-based application. Claim 9 further recites that the automatic transaction apparatus continuously executes the application resident therein during Web-based transactions without receiving transaction input data. Similar to the discussion above for claim 1, Drummond in no way teaches or suggests an automatic transaction apparatus continuously executes an application resident therein during Web-based transactions. Hence, claim 9 is patentable over Drummond for at least a first reason.

Claim 9 further recites that the automatic transaction apparatus switches to executing the application resident therein to continue the Web-based transaction in a non-Web-based environment using information saved upon execution of the Web-based transaction by the Web-based application when the Web-based application cannot be downloaded from the Web server. Drummond does not teach or suggest that the automatic transaction apparatus

switches to executing an application resident therein to continue a Web-based transaction in a non-Web-based environment using information saved upon execution of the Web-based transaction by a Web-based application when the Web-based application cannot be downloaded from a Web server. Instead, Drummond teaches that if the browser cannot access an HTML document from a Web server, the browser can access the same document that is stored locally. Drummond, col. 26, lines 40-41. As is recited in claim 9, when the Web-based application cannot be downloaded from the Web server, the automatic transaction apparatus switches to executing the application resident therein to continue the Web-based transaction in a non-Web-based environment. Such a switch is not merely trying to access a document in another location. Instead, the recited switch continues the Web-based transaction in a non-Web-based environment. Therefore, Drummond does not teach or suggest that an automatic transaction apparatus switches to executing an application resident therein to continue a Web-based transaction in a non-Web-based environment. Hence, claim 9 is allowable over Drummond for at least a second reason.

Claim 10 depends from claim 9 and is allowable as being dependent from an allowable claim.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

Dated: February 26, 2004



Michael A. Sartori, Ph.D.
Registration No. 41,289
Daniel G. Vivarelli, Jr.
Registration No. 51,137
VENABLE LLP
P.O. Box 34385
Washington, D.C., 20043-9998
Telephone: (202) 344-4000
Facsimile: (202) 344-8300

MAS/DGV
#524602